

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL CASE NO. 1:12cv08

UNITED STATES OF AMERICA, )  
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                                )  
                                )  
vs.                           )       **O R D E R**  
                                )  
                                )  
\$28,182.00 IN UNITED STATES )  
CURRENCY.                    )  
                                )  
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**THIS MATTER** is before the Court on the “Statement of Interest” filed by Artie Smith [Doc. 4].

A petition filed by a third party claiming interest in property which has been ordered forfeited to the United States must “be signed by the petitioner under penalty of perjury.” 21 U.S.C. § 853(n)(3). “A claimant who fails to file a verified statement has no standing to contest a forfeiture.” United States v. Loria, No. 3:08cr233-2, 2009 WL 3103771, at \*2 (W.D.N.C. Sep. 21, 2009) (quoting United States v. \$487,825,000 in U.S. Currency, 484 F.3d 662, 664-65 (3d Cir. 2007)). The petition filed in the instant case is not verified by the alleged claimant. Unless the required verification is filed within fourteen days of the entry of this Order, the claimant’s petition shall be dismissed.

Accordingly, **IT IS, THEREFORE, ORDERED** that Artie Smith shall file a verification of his petition within fourteen (14) days of the entry of this Order. **The claimant is advised that failure to file the required verification will result in the dismissal of his petition.**

The Clerk of Court is directed to provide copies of this Order to counsel for the Government and the *pro se* claimant, Artie Smith.

**IT IS SO ORDERED.**

Signed: March 5, 2012



Martin Reidinger  
United States District Judge

